



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 8.10.2007
COM(2007) 572 final

2007/0202 (COD)

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EC) No 998/2003 on the animal health requirements applicable to the non-commercial movements of pet animals as regards the extension of the transitional period

(presented by the Commission)

{COM(2007) 578 final}

EXPLANATORY MEMORANDUM

- Background

Regulation (EC) No 998/2003 of the European parliament and the Council harmonises the rules for the non commercial movement of pet animals between Member States or after entry or re-entry into the Community from third countries. Published on 13 June 2003 it entered into force on 3 July 2003 and applies to pet animals when travelling with their owners.

The Regulation introduced *inter alia* the pet passport for cats, dogs and ferrets when being moved from one Member State to another, which provides proof that the animal has been vaccinated against rabies. This is the sole requirement for pets to travel to all Member States.

However, the Regulation provides for specific derogative conditions for the movement of pet animals to certain Member States for a transitional period of five years starting from the date of entry into force, i.e. until 3 July 2008. These derogations should be reviewed by the end of this period, in the light of the experience gained by Member States with the implementation of Articles 6, 8 and 16 of the Regulation and of a scientific opinion from the European Food Safety Authority (EFSA).

To this end and according to Article 23 of the Regulation, the Commission was required to submit to the European Parliament and to the Council, before 1 February 2007, a report on the need to maintain the serological test, together with appropriate proposals for determining the regime to be applied after the transitional period.

- Problem identification

Because the scientific assessment has taken longer than envisaged, the Commission report has been delayed. In order to be able to take the conclusions of the report sufficiently into consideration, it is therefore appropriate to extend the above transitional period.

- Objective of the proposal

The objective of this Commission proposal is to extend the transitional period and to amend Regulation (EC) No 998/2003 accordingly.

This Commission proposal is linked to the Report from the Commission to the European Parliament and the Council in connection with Article 23 of Regulation (EC) No 998/2003 of the European Parliament and of the Council on the animal health requirements applicable to the non-commercial movement of pet animals.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 and Article 152(4)(b) thereof,

Having regard to the proposal from the Commission¹,

Having regard to the opinion of the European Economic and Social Committee²,

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty³

Whereas:

- (1) Regulation (EC) No 998/2003 of the European Parliament and of the Council of 26 May 2003 on the animal health requirements applicable to the non-commercial movement of pet animals⁴ lays down the animal health requirements applicable to the non-commercial movements of pet animals and the rules applying to checks on such movement.
- (2) In addition, Article 6 of Regulation (EC) No 998/2003 provides that for a transitional period of five years from the date of entry into force of that Regulation, the entry of pet dogs and cats into the territory of Ireland, Malta, Sweden and the United Kingdom is subject to special requirements, taking into account the particular situation in those Member States with regard to rabies.

¹ OJ C [...], [...], p. [...].

² OJ C [...], [...], p. [...].

³ OJ C 325, 24.12.2002, p. 133;

⁴ OJ L 146, 13.6.2003, p. 1. Regulation as last amended by Commission Regulation No 245/2007 (OJ L 73, 13.3.2007, p. 9).

- (3) Article 16 of Regulation (EC) No 998/2003 provides that for a transitional period of five years starting from the date of entry into force of that Regulation, those Member States which have special rules for the control of echinococcosis and ticks on the date on which this Regulation comes into force, may make the entry of pet animals into their territory subject to compliance with those requirements. Finland, Ireland, Malta, Sweden and the United Kingdom apply their specific entry rules relating to echinococcosis; Malta, Ireland and the United Kingdom require pet dogs and cats to undergo an additional treatment against ticks that must also be certified in the animal's passport.
- (4) The transitional regimes provided for in Articles 6 and 16 of Regulation (EC) No 998/2003 expire on 3 July 2008. Article 23 of that Regulation provides that the transitional regimes should be reviewed before the end of the transitional period.
- (5) To that end and pursuant to Article 23 of Regulation (EC) No 998/2003, the Commission was required to submit to the European Parliament and to the Council, before 1 February 2007, a report on the need to maintain the serological test, and provide appropriate proposals for determining the regime to be applied after the transitional regimes provided for in Articles 6, 8 and 16 of that Regulation. That report should be based on the experience gained so far and on a risk analysis, to be based on a scientific opinion of the European Food Safety Authority (EFSA).
- (6) On request by the Commission, EFSA issued a scientific opinion to assist the Commission in proposing appropriate and science based amendments to Regulation (EC) No 998/2003. In addition the Commission had also to consider reports of Member States on their experience with the implementation of Articles 6, 8 and 16 of that Regulation.
- (7) However, because the scientific assessment has taken longer than envisaged, the Commission's report has been delayed. In order to be able to take the conclusions of the report sufficiently into consideration, it is appropriate to extend the period of the transitional regimes.
- (8) Regulation (EC) No 998/2003 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 998/2003 is amended as follows:

- (1) In Article 6(1), the introductory phrase is replaced by the following:

"Until 31 August 2009, the entry of the pet animals listed in Part A of Annex I into the territory of Ireland, Malta, Sweden and the United Kingdom shall be subject to the following requirements:"

(2) In Article 16, the first paragraph is replaced by the following:

"Until 31 August 2009, Finland, Ireland, Malta, Sweden and the United Kingdom, as regards echinococcosis, and Ireland and the United Kingdom, as regards ticks, may make the entry of pet animals into their territory subject to compliance with the special rules in place on the date on which this Regulation comes into force."

(3) In Article 23, the date "1 January 2008" is replaced by the date "1 September 2009".

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President